

### 3. 2012SP-010-001

#### 2849 LOGAN STREET

Map 119-09, Parcel(s) 202

Council District 16 (Tony Tenpenny)

Staff Reviewer: Brian Sexton

A request to rezone from Specific Plan – Auto (SP-A) for a 7,500 square foot facility to Specific Plan – Auto (SP-A) zoning for a 4,000 square foot facility for property located at 2849 Logan Street, approximately 505 feet north of Thompson Lane (0.31 acres) to permit automobile repair and service, requested by Dale & Associates, applicant, Fahmy W. Ateyya, owner.

**Staff Recommendation: APPROVE the SP WITH CONDITIONS and disapprove without all conditions**

#### APPLICANT REQUEST

**SP request to replace the approved SP for auto-related uses with a new SP for auto-related uses.**

#### Preliminary SP

A request to rezone from Specific Plan – Auto (SP-A) for a 7,500 square foot facility to Specific Plan – Auto (SP-A) zoning for a 4,000 square foot facility for property located at 2849 Logan Street, approximately 505 feet north of Thompson Lane (0.31 acres) to permit automobile repair and service.

#### Existing Zoning

Specific Plan-Auto (SP-A District) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses in a 7,500 square foot facility.

#### Proposed Zoning

Specific Plan-Auto (SP-A District) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses in a 4,000 square foot facility.

#### CRITICAL PLANNING GOALS

N/A

#### SOUTH NASHVILLE COMMUNITY PLAN

##### General Policy

Neighborhood Urban (NU) is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

##### Specific policy

Mixed Housing (MH) is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street. This site is located within the Nolensville Pike Corridor Detailed Neighborhood Design Plan boundary.

#### Consistent with Policy?

While the requested SP district is not consistent with the areas predominant residential policy, the request is consistent with area's commercial and light industrial development pattern. The property is currently zoned for an auto use and is surrounded by commercial, office, and light industrial uses along Logan Street. When this policy is updated in the future, staff will recommend changing the policy to reflect the area's commercial and light industrial development pattern with which this SP is consistent.

#### PLAN DETAILS

In 2007, the Metro Planning Commission approved an SP on this property for a 7,500 square foot automobile repair and service facility. The facility was never constructed and the property is undeveloped. While the uses are similar, the new property owner is proposing a different layout and building footprint. This SP request proposes a 4,000 square foot automobile repair and service facility. The plan calls for a total of 16 parking spaces which meets the Zoning Code requirement for parking. Primary access to the site

continues to be from Logan Street. The proposed facility has four garage bays that front the interior parking area on the north side of the building. A list of building materials was not submitted and will be required prior to Final Site Plan approval for this development. Prohibited building materials will include unfinished concrete blocks, plywood, and aluminum.

#### Landscaping/Sidewalks

While the proposed plan shows a variety of canopy trees and shrubs along the perimeter of the property and onsite, adequate landscape details were not submitted. Prior to Final Site Plan approval, adequate landscape details shall be submitted to staff for review. A seven foot right of way reservation and five foot sidewalk is proposed along the property frontage. Prior to the issuance of Use and Occupancy permits, the sidewalk shall be constructed and accepted by Metro Public Works.

The proposed plan also shows a physical separation between the front parking area and the street in the form of a knee wall. The proposed knee wall has a maximum height of two feet. A list of building materials for the knee wall was not submitted and will be required prior to Final Site Plan approval for this development. The knee wall shall be constructed of concrete, stone, split-face masonry or other similar material. Pillars with wrought iron or similar material between the pillars are also permitted.

#### Signage

The plan proposes one monument sign along Logan Street. Adequate sign details for the monument sign were not included in this SP. Sign elevations will need to be submitted with the Final Site Plan for review and approval by staff. All signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted building signs shall have a maximum sign area of 48 square feet. Pole signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

#### Future Development

In order to provide flexibility for future redevelopment in an Auto SP district, future redevelopment within the district shall meet the standards of a mixed use zoning district consistent with the general plan. Minor modifications to the approved site plan may still be approved by the Planning Commission, but new construction shall generally be subject to the prescribed mixed use district. A note shall be added to the site plan that states:

"Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use, but shall be subject to the standards, regulations and requirements of the MUL zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission."

#### **PUBLIC WORKS RECOMMENDATION**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions. With the final SP and/or construction plans the following will be required:
- With the construction drawings a right of way dedication may be required to fully encompass the public sidewalk. The construction drawings should include the following ROW elements 20' minimum pavement width, curb and gutter, four foot grass strip and five foot sidewalk.
- Show curb and gutter on plans with edge of the gutter at the existing EOP.
- Detail for how the existing roadside ditch is to be relocated, coordinate with MPW and MWS.
- Add details ST-200, ST-210, and either ST-24 or ST-325.

#### **FIRE RECOMMENDATION**

- No part of any building shall be more than 500 feet from a fire hydrant via an approved hard surface road - Metro Ordinance 095-1541 Sec: 1568.020 B. Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1.

#### **STAFF RECOMMENDATION**

Staff recommends approval with conditions of the preliminary SP and disapproval of the preliminary SP without all conditions of approval. The proposed SP is consistent with area's commercial and light industrial development pattern.

#### **CONDITIONS**

1. Permitted land uses within the SP shall be limited to automobile repair and service.
2. Prior to Final Site Plan approval, a list of building materials shall be submitted. Prohibited building materials include unfinished concrete blocks, plywood, and aluminum.
3. Prior to Final Site Plan approval, adequate landscape details shall be submitted, including specific species types for landscaping shown on the plan.
4. Prior to the issuance of a Use and Occupancy permit, a sidewalk shall be constructed and accepted by Metro Public Works.
5. Prior to Final Site Plan approval, a list of materials for a knee wall shall be submitted. The knee wall shall be constructed of concrete, stone, split-face masonry or other similar material. Pillars with wrought iron or similar material between the pillars are also permitted.
6. Prior to final site plan approval, adequate sign details shall be submitted. All signage shall be monument style or wall mounted. Monument signs shall have maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway. Wall mounted building signs shall have a maximum sign area of 48 square feet. Pole signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.
7. The following note shall be added to the site plan: Auto related uses shall be consistent with the approved site plan. Minor modifications to the site plan may be approved by the Planning Commission including changes in use, but shall be subject to the standards, regulations and requirements of the MUL zoning district. Expansions of 25 percent of the total floor area of the originally approved final site plan or total redevelopment shall meet the standards, regulations and requirements for the MUL zoning district. Minor modifications may require a new final site plan and expansions of 25 percent of the total floor area of the approved site plan or total redevelopment shall require that a final site plan be approved by the Planning Commission.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Sexton presented the staff recommendation of approval with conditions and disapproval without conditions.

Dr. Cummings arrived at 4:21 p.m.

Roy Dale, representing applicant, spoke in support of the proposal.

Tim Schuett, 2971 Jim Warren Road, spoke against the proposal.

**Mr. Ponder moved and Councilmember Claiborne seconded the motion to close the Public Hearing. (7-0)**

Councilmember Claiborne spoke in support of the proposal.

Mr. Ponder spoke in support of the proposal.

Mr. Clifton spoke in support of the proposal.

**Mr. Ponder moved and Councilmember Claiborne seconded the motion to approve with conditions and disapprove without all conditions. (7-0)**

**Resolution No. RS2012-89**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-010-001 is APPROVED with conditions and disapproved without all conditions. (7-0)"**

**The proposed SP is consistent with the area's commercial and light industrial development pattern.**

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